

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

_____)
UNITED STATES OF AMERICA)
Plaintiff)
_____)
vs.) Magistrate No. 10 - 226M
_____)
RICHARD E. BOGGS)
Defendant)

SENTENCING

Before Magistrate Judge Lisa Pupo Lenihan

Michael Comber
Appear for Government

Akin Adepoju and Elisa Long
Appear for Defendant

Hearing begun June 11, 2010 Hearing adjourned to _____

Hearing concluded C.A.V. _____ Court Reporter Shirley Hall
CD: _____ Index: _____

Officer James Ashbaucher is sworn and testifies. The government rests. Connie Acosta is sworn and testifies. The defense rests. Argument is made. The Court finds Officer Ashbacher to be credible and that there is no doubt raised as to the defendant's identity. The Court finds against the Defendant as to both offenses. The Defendant waives his right to a presentence report and agrees to go straight to sentencing. The Court sentences the Defendant to 60 day incarceration and imposes a \$500 fine with a \$25.00 processing fee as to Count I. The Court waives the fine as to Count II, but imposes the mandatory \$25.00 processing fee. The Court permits the Defendant to self report. Defense counsel requests the Court recommend the Defendant be permitted to serve his sentence at a correctional facility or a half-way house. The Court declines this request. Rights of appeal explained.
